

# EXHIBIT

1

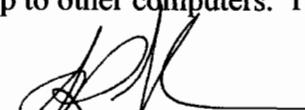
IN SUPPORT OF STATEMENTS MADE TO THE FEDERAL TRADE  
COMMISSION

AFFIDAVIT OF STEPHEN R. LAYTON, SR.

The undersigned affiant, Stephen R. Layton, on this 19 day of November, 2008, being first duly sworn, hereby deposes and says:

1. I am over the age of eighteen, suffer no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify.
2. I hereby certify that the following statements are true and correct.
3. I am an attorney licensed and admitted to practice law in the courts of the state of Maryland.
4. My principal employment is as President of DocuMint, LLC, a commercial lease document data management company that is run entirely on the internet.
5. I depend on my computers to conduct my business.
6. Approximately six (6) months before the date of this Affidavit I was working on my desktop computer, a Compaq model, when I noted an alert in the middle of the screen saying that my computer was infected with viruses and that I should click on the continue button of the alert message to rid my computer of these viruses.
7. The computer's operating system was Microsoft WindowsXP.
8. I did not seek or solicit the windows xp antivirus 2008 software, nor did I knowingly download it to my computer.
9. The alert button identified the program generating it as "windows xp antivirus 2008"
10. I clicked the "x" at the top right corner of the alert to close the alert. This action, instead of closing, sent me to yet another alert that said I had thousands of viruses on my computer.
11. I tried to close the second alert, but, was instead directed to the windows xp antivirus 2008 web site where I was notified that I could buy the program to fix my computer.

12. I maintain antivirus, anti spyware, anti adware and other programs to keep my computers protected and I run those programs at least once every week. I did not need, seek or want the windows xp antivirus 2008 and I closed the site. I then ran my protective programs, none of which recognized any viruses on the computer. I then deleted all temporary files, all offline content, all cookies and all history from the computer and restarted it.
13. When the computer rebooted the alert was still in place and stayed in the middle of the screen no matter what programs were run. I checked my files using Windows Explorer and found that a message to the effect of "Virus found" had been appended to every file in my documents.
14. I tried to remove the virus component from my files, but, my computer then rebooted without my prompting and began endlessly cycling through its boot up sequence, restarting every time it got to my opening desktop.
15. I used another computer to check online (with a Google search on windows xp antivirus 2008) for suggestions on how to fix my computer only to find many links describing the same effects that I was seeing on my own computer. The only suggestions for fixing the problems were, however, to take the computer to a qualified repair facility and have them clean the hard drive. Those same links in Google identified windows xp antivirus 2008 as known "malware" (malicious software) and noted that the purveyors of this malware had already put version 2009 on the internet.
16. The process of taking my computer to a repair facility and paying to have the hard drive was prohibitive.
17. The end result of this program's taking over my computer was to deprive me of all use of the computer and the loss of any programs, files and pictures that had not been backed up to other computers. I had to replace the desktop computer.



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Stephen R. Layton, Sr.  
Affiant

Sworn and subscribed before me this 19<sup>th</sup> day of Nov, 2008.

Rayne L Willis  
Notary Public

My Commission expires: 10/20/2009

